

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20753 of 2023

Arising Out of PS. Case No.-38 Year-2022 Thana- NIMCHAKBATHANI District- Gaya

1. VIJAY CHAUDHARY @ VIJAY CHOUDHRY Son of Rajo Chaudhary R/o Village - Bandi Tola, Kalyanpur, P.S.- Nimchak Bathani, District - Gaya
2. Jalendra Chaudhary @ Jalandhar Chaudhari @ Jaladhar Chaudhary Son of Vijay Chaudhary R/o Village - Bandi Tola, Kalyanpur, P.S.- Nimchak Bathani, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-06-2023 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 341, 323, 307, 427, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that the accused persons including the petitioners came and abused him as he was playing music and even assaulted him with *Khanti* on account of which he became unconscious.



Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that from bare perusal of allegation as alleged in the F.I.R, it would manifest that no specific allegation of assault is alleged against the petitioners rather the allegation of assault is against all the accused persons, as such it cannot be alleged with certainty that it were the petitioners who assaulted the informant causing injury. It is further submitted that the informant was in habit of disturbing the neighbours by playing loud music which was being objected.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions and the fact that petitioners are persons with clean antecedent, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court



in connection with Nimchak Bathani P.S. Case No. 38 of
2022 subject to the conditions as laid down under Section
438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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